



“It’s special because it’s the only major free-flowing river on the east coast . . . it provides drinking water for 22 million people, and in addition to being a political boundary, it’s also a very lovely, peaceful place that’s a vital resource to all of us ...”

David Ennis, New Jersey Conservation Foundation

Section IV:

The Lower Delaware River Management Plan — Summary

Development of a River Management Plan is a required component of the Lower Delaware River Wild and Scenic River Study. The Management Plan recommends actions to maintain and improve the lower Delaware River, its tributaries and surrounding natural, historic and cultural resources. It provides for economic growth in a manner that does not adversely affect the region’s exceptional river-related resources.

The Plan has been compiled by the Lower Delaware National Wild and Scenic River Study Task Force Management Plan Committee and Local Government Committee, with assistance from the National Park Service, Northeast Region. The Committee is chaired by James C. Amon, Executive Director, Delaware and Raritan Canal Commission, and is made up of regional, state, and local agency representatives, landowners, conservationists, business people, and other stakeholders in New Jersey and Pennsylvania. (See Appendix B)

Traditionally river management plans are prepared following Wild and Scenic River designation. However, given that no federal acquisition is planned and that protection remains primarily a local function it was necessary to prepare a plan first. This was necessary to get local concurrence for the management strategy and designation. Furthermore, the plan can be used to protect river related resources regardless of whether the river is designated.

The Management Plan and Local Government Committees have been collecting and analyzing information on a regular basis since 1994. All meetings have been open to the general public. Committee work has been supported by significant public and municipal involvement in the study process. Municipal and public workshops were conducted throughout the study corridor to solicit river-related issues, concerns, and management recommendations. A survey of all landowners along the river and the three original study tributaries was conducted to solicit opinions about river management. The Public Outreach Committee of the Study Task Force led the efforts to solicit



input. Background issues and recommendations were supplied by the Resource and the Economic Development committees. Individual profiles were prepared for each municipality in the study corridor detailing existing municipal resources and conservation programs. These efforts led to the development of the six major goals and specific policies and implementation strategies contained in the Plan.

To assure the protection of important resources in the corridor, the Study Task Force concluded that the Management Plan should cover a broader reach of the lower Delaware than that included in the area considered for Wild and Scenic River designation. The Task Force decided that one management plan should be developed covering (1) areas eligible for Wild and Scenic designation, (2) the area south of Washington Crossing, PA, and (3) excluded sections. The Plan area generally follows the prominent ridge lines on both sides of the lower Delaware River between the Delaware Water Gap National Recreation Area and the Rancocas Creek in New Jersey and the Poquessing Creek in Pennsylvania (the southern boundary of Bucks County, Pennsylvania), extending further inland to encompass important corridor resources and eight tributaries: Cooks, Frya Run, Paunacussing, Smithtown, Tinicum and Tohickon creeks, and the Musconetcong and Paulinskill rivers. The boundary was drawn on the basis that this corridor most directly effects the scenic character and water quality of the river. The Plan Area lies in the states of New Jersey and Pennsylvania and includes six counties and fifty-eight municipalities, which represent a population in excess of 5 million.

Each level of government would retain its existing level of authority with or without National Wild and Scenic Rivers System designation. With designation, federal agencies are required to consider the values for which the river is designated and make decisions which are compatible with the plan. Since the plan was developed by local river interests and focuses on municipal implementation, it can be used with or without designation.

Non-regulatory programs existing in the Plan area provide important protection measures. These programs include the acquisition of land or easements by local and state governments and non-profit groups such as land trust organizations. Public education on the value of the river's resources and on ways individuals can act to preserve or enhance these resources is also of great value. Many environmental organizations maintain registers for landowners who do not want to give up any of



their rights to the land, but wish to voluntarily preserve its natural or historic resources and to receive help in that effort.

A wide range of federal, state and local regulatory programs provide varying degrees of resource protection in the lower Delaware River corridor. Some are very effective because they are based on well-founded laws, aggressively supported by the necessary finances, qualified personnel, and include education programs. Others lack these qualities and are therefore less effective. Local municipalities are a key to many of these regulatory programs even though enforcement originates from higher levels of government. They are close to areas where violations may be occurring and are intimately aware of local situations. Municipalities carry considerable persuasive weight with these regulatory agencies and are a key to bringing important facts to their attention. In addition, municipal land use regulations, stormwater management controls, and open space programs can provide further levels of resource protection.



Delaware River Greenway

Bridge over Delaware River at Milford, New Jersey



...a vision for the future of the river

Management Goals

The River Management Plan is directed to local governments, the states of New Jersey and Pennsylvania, federal agencies, regional commissions, private organizations, residents of the river corridor, river users, and others who care about the future of the river. The Plan does not contain a prescription for every situation that could confront river managers. Instead, it provides a vision for the future of the river and context for future action. The heart of that vision is expressed in the following six goals carefully crafted by the Management Plan Committee and the associated policies and implementation strategies.

Goal 1: Water Quality

Maintain existing water quality in the Delaware River and its tributaries from measurably degrading and improve it where practical.

Policies:

- Achieve the highest practical state and federal water quality designation for the river and its tributaries.
- Manage point discharge and storm water non-point runoff to minimize degradation of the river.
- Encourage the use of Best Management Practices in the agricultural areas within the river corridor to minimize water quality degradation from storm water runoff.
- Encourage the use of Best Management Practices for activities other than agricultural that could result in water quality degradation from storm water runoff.
- Discourage inappropriate development in floodplains, wetlands, steep slopes and buffer strips along the lower Delaware River and its tributaries.

Implementation Strategies:

General

- Pennsylvania's Department of Environmental Protection, New Jersey's Department of Environmental Protection, and the Delaware River Basin Commission should jointly develop a river corridor water quality management plan describing the highest level of water quality protection



consistent with the water quality goal of this Management Plan, and the monitoring, research, modeling and regulations needed to insure protection of that level of water quality.

- An enhanced water quality monitoring program should be implemented for the lower Delaware River and its tributaries under the leadership of the Delaware River Basin Commission.
- The regional cooperative environmental monitoring plan prepared for the Delaware Estuary Program should be expanded and adopted to cover the entire river corridor. The environmental monitoring plan is focused on the key areas of water quality, toxics, living resources, and habitat/land cover/land use.
- Sewage discharges from malfunctioning private or public sewage systems can severely impact water quality. The current system of monitoring septic/sewage systems should be improved and property owners should be educated.
- Education programs should be designed to educate the public to know that: 1) existing state and federal programs do not offer full protection of streams and rivers; 2) many of the serious impacts are the result of individual and community actions related to land use; 3) sewage discharges from malfunctioning private or public sewage systems can severely impact water quality; and 4) the use of best management practices can minimize pollution impact from sources such as pesticides, herbicides and fertilizers.
- The Natural Resources Conservation Service and appropriate state agencies should encourage farmers to develop farm management plans in accordance with best management practices.
- Periodic water quality announcements/advisories should be issued by DRBC.

Municipal

- Corridor municipalities should provide stream corridor preservation through preserving buffers, steep slopes, wetlands, floodplains, and woodlands that are a vital part of the ecosystem of the river corridor.
- Corridor municipalities should provide protection against non-point source pollution and provide for storm water management.



- Regional storm water management facilities should be developed and the use of other best management practices encouraged. Planning at the municipal, inter-municipal, and county levels should be encouraged in order to achieve regional management strategies.

Goal 2: Natural Resources

Preserve and protect the river's outstanding natural resources, including rare and endangered plant and animal species, river islands, steep slopes and buffer areas in the river corridor and along the tributaries.

Policies:

- Promote stream corridor preservation, as well as protection of steep slopes, floodplains and wetlands.
- Encourage the protection of river corridor resources while allowing property owners to utilize their land in ways that do not harm those valuable resources.
- Encourage the protection of significant natural resources in the corridor, including rare and endangered plant and animal species and significant wildlife habitats.

Implementation Strategies:

General

- Landowners will continue as the primary stewards of lands along the river. Long-standing traditions of private land ownership and diverse land uses are major factors in the character and quality of the river corridor. Landowners can fulfill their stewardship responsibility by taking an active interest in the river, expanding their knowledge of sensitive land management practices, and incorporating those practices into land management. Sensitive land management includes maintaining or re-establishing vegetative buffers along the river and tributaries and reducing or eliminating the use of fertilizers and pesticides on lawns.
- Watershed plans should be developed for each tributary in the study area under consideration for designation into the Wild & Scenic Rivers System.
- Native plant materials should be used in landscaping.



Municipal

- Corridor municipalities should provide stream corridor protection through preserving buffers, steep slopes, wetlands, floodplains, and woodlands that are a vital part of the ecosystem of the river corridor.
- Corridor municipalities should establish guidelines for natural resource preservation techniques, including cluster development.
- Corridor municipalities should establish environmental advisory councils or environmental commissions.
- Watershed plans should be developed for each tributary in the study area under consideration for designation into the Wild and Scenic Rivers System.

Goal 3: Historic Resources

Preserve and protect the character of historic structures, districts and sites, including landscapes, in the river corridor.

Policies:

- Structures, districts or sites, including landscapes, that are listed on the State or National Register of Historic Places, or are eligible for such listing, are important to the character of the river corridor and should be preserved.
- Encourage communities and historical organizations to survey and, where appropriate, nominate historic buildings or districts for inclusion on the states and national registers of historic places.

Implementation Strategies:

General

- A corridor wide historic preservation plan should be developed that includes an inventory of historic resources and identifies appropriate protection measures.
- Residents and river users should be educated about the history of the region and the benefits of historic preservation, including the potential for increased property values from preservation.

Municipal

- Corridor municipalities should conduct inventories in order to identify the structures, districts or sites that are



eligible for inclusion on the State or Federal Registers of Historic Places.

- Corridor municipalities should preserve significant historic places by nominating them to state or national registers.

Goal 4: Recreation

Encourage recreational use of the river corridor that has a low environmental and social impact and is compatible with public safety, the protection of private property and with the preservation of natural and cultural qualities of the river corridor.

Policies:

- Establish publicly owned land which provides appropriate river access and support facilities for people pursuing recreational opportunities.
- Establish strict rules on excessively noisy, intrusive, reckless and environmentally harmful activities or vehicles in the river corridor, and promote enforcement of those rules by both states.
- Promote appropriate public access points with maps, guidebooks, signs, etc. to reduce recreational trespassers on private property.
- Lands with significant recreational value within the corridor should be publicly owned or protected by land trusts in order to facilitate public recreational use.

Implementation Strategies:

General

- State, county, municipal, and private entities should provide additional access sites to the river, particularly low-impact recreational activities that are environmentally suited to protecting the river and habitats. Suggestions include fishing, birding and wildlife observation, hiking, and canoe camping. All proposals for new recreational activities should be evaluated to determine impact upon the important resources of the study area. Suitable sites should be secured while opportunities remain.
- An analysis of river access needs should be conducted that facilitates officials at all levels to provide access, including funding information.



- The New Jersey Marine Police and the Pennsylvania Fish and Boat Commission should:
 - provide the police force necessary to enforce the rules governing recreational activity in the river corridor, particularly during peak periods of use on summer weekends.
 - work in partnership with personal watercraft retailers and manufacturers to encourage safe and courteous use of personal watercraft.
- Governmental entities at all levels and both sides of the river should adopt compatible rules governing recreational use of the river corridor. These rules should be in accord with the recreational goals and policies of the Management Plan.
- Watercraft licensing procedures should include training on the safe, courteous and environmentally sound use of watercraft.
- An effective enforcement policy should be developed and implemented to control watercraft uses to minimize excessive noise and speed, to eliminate potential collisions between river users, to discourage intimidation of non-power watercraft users and fisherman by power craft, to protect the environment, and to consider establishing designated areas for personal watercraft.
- A comprehensive interpretation plan for the entire lower Delaware River corridor should be developed that is compatible with the plan prepared for the Delaware and Lehigh Canal National Heritage Corridor. The plan will encourage the protection of resources, promote safe and courteous river use, and raise awareness of the value of the Delaware's resources.
- A Lower Delaware Region Workshop should be conducted for residents and commercial organizations impacted by watercraft use. Workshop participants should review regulations and make specific recommendations.

Municipal

- Corridor municipalities should provide additional access sites to the river.



Goal 5: Economic Development

Identify principles for minimizing the adverse impact of development within the river corridor.

Policies:

- Continued economic growth, new infrastructure, and the replacement, repair or expansion of existing infrastructure should occur in ways that minimize harmful impacts on the natural, cultural, recreational and scenic values of the river corridor and that are cost-effective.

Implementation Strategies:

Tourism

- An Economic Development Coordinating Committee should be established to assume responsibility for coordinating river festivals and events, educational programs and economic development opportunities.
- Coordination between chambers of commerce and economic development groups should be improved to attract tourists to area. Chambers should coordinate with government agencies and municipalities to promote recreational and tourist opportunities. Evaluate the need to organize a corridor-wide chamber of commerce.
- Opportunities should be identified for appropriate privately-owned tourism sites (wineries, microbreweries, bed and breakfasts, etc.)
- Interest by the public should be encouraged through reenactments, especially at Washington Crossing.
- Existing activities that attract outside tourists should be encouraged, such as:
 - Railroad excursions
 - Trolley-type vehicles
 - Additional tours to promote resources
 - Ferry boat or river boat connections south of Trenton
- A view shed study should be conducted to identify significant views, areas in need of protection and protection measures. Maintain existing character and views of roadways where possible.
- The use of visual themes (signs, construction techniques, road patterns) should be investigated to develop a solid identity within the lower Delaware valley.



General

- Best Management Practices should be required for all industrial areas to protect the river's resources. Visual appearance of industrial areas should be improved to maintain scenic value of the corridor. Buffer zones between public facilities and the river should be encouraged.
- Public and private utility uses and rights-of-way should be concentrated to minimize impact.
- Reviews should be conducted to anticipate expansion needs with natural gas, electric, telecommunication, and other utility companies operating in the river corridor and develop a plan that allows those needs to be met in a manner that is compatible with the river corridor's resources and that is cost-effective.
- Expansion needs should be reviewed with appropriate governmental entities regarding existing sewage authorities and anticipated new sewage treatment facilities to ensure compatibility with the goals of this plan.
- A system of evaluation for proposed projects throughout the corridor should be developed that identifies the impact on significant resources and compares the environmental impacts with the economic benefits.

Municipal

- Appropriate types of development should be identified that are sensitive to the important natural, historic, scenic and recreational resources.
- Corridor municipalities should assure that local zoning ordinances direct development to locations that are compatible with the river corridor's resources.
- Municipalities should report development plans to adjacent communities for review. A corridor-wide newsletter could be developed to inform municipal officials and residents about development proposals within the corridor.
- New industrial development should be encouraged to locate outside the immediate river corridor or be concentrated where such uses already exist or on sites of former industrial facilities.
- Municipal, county and state departments of highways and transportation should assure that new or improved roads in the river corridor will be compatible with the river corridor's resources and that the construction techniques used will reduce the impact of storm water runoff on the water quality.



Goal 6: Open Space Preservation

Preserve open space as a means of maximizing the health of the ecosystem, preserving scenic values, and minimizing the impact of new development in the river corridor.

Policies:

- Lands within the river corridor that have special environmental or scenic value and significant agricultural lands should be permanently preserved by private programs, individual landowners and public ownership in fee or easement as appropriate to assure their ability to continue to offer scenic benefits.

Implementation Strategies:

General

- The New Jersey Green Acres program is designed to use public funds for direct State acquisition, as a grant and loan mix for county and municipal acquisition, and as a 50% matching grant for acquisition by private, non-profit land trusts. The New Jersey side of the river corridor should be surveyed to determine which pieces of land should be in public ownership and which public or private entity would be most likely to work with the Green Acres program.
- The Pennsylvania Rivers Program, Department of Environmental Protection and Pennsylvania Key 93 Municipal Assistance Program provide direct assistance to municipalities for the acquisition and development of open space, river conservation and recreation projects. A determination needs to be made of the priorities for land acquisition, and appropriate funding provided for land protection.
- Private land trusts should identify and protect lands in the corridor with significant resource value.
- The state coastal zone management should give priority to land protection within those coastal areas that lie in the river corridor.
- The state farmland protection programs should give priority to the protection of agricultural lands in the river corridor.



“A river, a lake, a cliff ... if inhabitants of a town were wise, they would seek to preserve these things ... for such things educate.”

Henry David Thoreau, 1861

- Farmland should be taxed on the basis of its value for the production of agricultural products, not on its fair market value that includes its value for development.
- Establish Agricultural Security Areas or Agricultural Development Areas.
- Education programs should be offered to landowners, developers, and professionals such as tax attorneys and real estate brokers regarding land and resource protection, and opportunities for conservation easements and land preservation. Methods such as notices in utility bills and IRS mailings could be used.
- Significant unprotected, undeveloped lands within the corridor should be permanently protected with priority given to highly visible, potentially developable tracts, and to the cliff areas that contain rare plant species.
- Encourage the acquisition of easements for development rights on agricultural lands by land trusts and government agencies.

Municipal

- Corridor municipalities should identify and protect lands in the river corridor with significant resource value through direct acquisition, establishment of agricultural security areas, conservation easements, TDR's, and educational programs for landowners.

Education and Outreach

Landowners will continue as the primary stewards of lands along the river. Actions of residents throughout the Delaware River Watershed have direct impacts upon the river. As such they cannot be neglected as components of a river management strategy. Landowners, both residential and commercial, need to know about the river's important resources and to understand what they can do to enjoy and protect them. The long-term success of this management plan is dependent on: well-informed citizens and landowners who work to achieve the objectives of the plan at home and within their communities; and environmentally aware children and young people who will provide the next generation of leadership and stewardship for the watershed.



Implementation Strategies:

- The Delaware River Greenway Partnership should take the lead in implementing an education and outreach program, and all the parties to the Management Plan will have roles to play in it. Local and regional school systems will be enlisted as major participants in the educational program. Municipalities, park systems and interpreting institutions will help bring river-related issues to the attention of the public.
- Increase general awareness of the river and its tributaries.
- Residents should be made familiar with best land management practices to protect and enhance the resources of the Delaware River and tributaries.
- A sense of the Delaware Watershed as a “community” and watershed pride by residents and local officials should be fostered.
- Instill in school children a sense of stewardship and pride in the Delaware Watershed through development of school curricula.
- A comprehensive interpretation plan for the entire lower Delaware River corridor is needed that is compatible with the plan prepared for the Delaware and Lehigh Canal National Heritage Corridor. The plan will encourage the protection of resources, promote safe and courteous river use, and raise the awareness of the value of the Delaware River’s resources.





Summary of Recommendations for Local Governments

Local support is necessary to protect the natural, cultural, and recreational features of the river for the benefit and enjoyment of present and future generations.

Local support of actions to maintain and improve the lower Delaware River and its tributaries is needed to achieve designation of eligible segments and tributaries as a National Wild and Scenic River.

Local support is an important part of a cooperative effort involving private landowners and groups as well as all levels of government.

The River Management Plan, as summarized below, recognizes that local governments hold the key to successful river conservation.

■ *Goals*

Endorse the Goals of the Lower Delaware River Management Plan and support designation as a National Wild and Scenic River; agree to take action to address these goals.

■ *Comprehensive Planning*

Incorporate goals of Lower Delaware River Management Plan into Comprehensive Plan.

Conduct a Natural Resource Inventory to identify important resources.

Consider natural and river resources in recommendations for type, location, and intensity of land uses specified by the community's comprehensive plan.

■ *Zoning and Other Regulations*

Consider regulations to protect floodplains, steep slopes, wetlands, river corridor buffers and outstandingly remarkable resources.

Consider regulations that guide development so that land uses will have minimal effects on the river and tributaries by controlling what types of activities are permitted and in what locations.

Enact regulations to control how development occurs: minimize adverse effects of stormwater runoff and soil and vegetation disturbance.

Each municipality should establish an Environmental Advisory Council/Environmental Commission as official bodies of local government to advise local officials and planning commissions on environmental issues, including:

- leading the development of environmental resource inventories
- providing an important source of expertise with regard to environmental impacts of various types of development



Valuable River Resources

Proper management of the Delaware River and tributary streams, and the lands along them, serves multiple objectives.

- protection of people and property from flooding
- protection of water quality
- protection of fish and wildlife habitat
- promotion of scenic and recreational values
- enhancement of economic conditions by reducing costly hazardous activities and by encouraging river-based economic activities

“Scenic beauty, wildlife habitat and overall atmosphere of the region are the three most important qualities of the area.”

Quote from Landowner Survey

- educating citizens of their community about environmental issues and importance of the Delaware River as a vital resource and generating support for its protection.

Protecting the Resources—The Landowner Role

Individual initiative can make a tremendous difference in the health of the Delaware River and tributaries. The Delaware and tributaries will benefit from the voluntary action of landowners for stream protection by reducing soil erosion, stabilizing stream banks, enhancing natural areas and habitat, improving water quality, and reducing flood potential.

Forested riparian buffers are extremely important to maintaining the health of a stream. Naturally vegetated stream corridors provide food, nesting areas, and migration routes for a variety of wildlife. Forested and wetland buffers remove nutrients from run-off while trapping sediment. This is especially important in farming communities where filter strips protect water quality.

There are many proper management techniques landowners can practice for riparian lands, including:

- placing conservation easements, especially in the floodplain and for wetlands
- not dumping materials into the stream or onto the floodplain, including yard debris, trash, etc.
- not mowing or cutting vegetation to the water's edge
- avoiding cultivation or grazing on the water's edge
- allowing a forested buffer to grow along the river/stream
- using native plants in landscaping
- limiting impervious surfaces
- moving livestock away from the stream and fencing waterways
- minimizing use of pesticides, herbicides, and fertilizers
- minimizing groundwater use and avoiding landscaping that requires irrigation systems
- participating in water quality monitoring programs
- minimizing use of hazardous products



Long Term Management

To assure implementation of the River Management Plan, the creation of a management committee and a citizens advisory committee, coordinated by the Delaware River Greenway Partnership, is recommended. An underlying principle in this recommendation is that existing institutions and authorities provide the foundation for the long-term protection of the Lower Delaware River and tributaries.

A multiple partnership model is needed to coordinate river management activities, minimize regulation and service duplication, and minimize cost, while protecting river resources. The breadth of issues, political jurisdictions, and resources suggests that no single agency can adequately implement the River Management Plan. This partnership model: 1) brings the major players in river management together on a regular basis, 2) stimulates cooperation and coordination among the players, 3) provides a forum for all river interests to discuss and resolve issues, and 4) coordinates implementation of the management plan.

The Management Committee

The purpose of the Lower Delaware Management Committee is to remind participating agencies of the plan goals, provide oversight and guidance to participating agencies, and through those agencies to other organizations. It is not to assume any regulatory functions. Meetings are to be structured around the goals, open to anyone, and to have agendas and notices provided in advance. Activities of the committee will be coordinated by the Delaware River Greenway Partnership.

The functions of the committee include: prioritizing goals; setting timetables; providing education on river management actions; acting as a watch dog/sheep dog; encouraging other agencies to adopt the plan goals; tracking activity in the river corridor and acting as an information clearinghouse across political boundaries; providing technical assistance; and updating the plan (at least every 5 years).

The committee membership will include representatives of the municipalities, watershed associations, counties, the Delaware River Basin Commission (DRBC), the Delaware River Greenway Partnership (DRG), the State of New Jersey (DEP), the Commonwealth of Pennsylvania (DCNR, DEP, Fish & Boat Commission), the Delaware & Lehigh Canal National Heritage Corridor Commission, and the National Park Service.

“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it’s the only thing that ever has.”

Margaret Mead



“What you do upriver is going to affect people downriver...what we do is going to affect people not just in our area, not just in our time, but in future generations...”

Jeffrey Marshall, Heritage Conservancy

Each partner organization is responsible for broad resource or issue areas related to their existing responsibilities. They remain responsible for the functions they already have as determined by law, regulation, or charter. As a member of the committee they are responsible for working with their existing partners, including state and federal agencies, and educating those partners about the goals in the management plan. The roles of the partner organizations in relation to management plan implementation are:

Delaware River Greenway Partnership: Land use and open space preservation issues - Education and outreach - Municipal contacts and notification - Bi-annual river management report - Coordinate partner issues (government, business, non-profit) - Lead contact for river concerns - Convenes Management and Citizen Committees.

Delaware River Basin Commission: Water quality and flow management and regulation - Biological issues (i.e., fisheries).

Municipalities: Land use regulation and protection - Recreation & access - Water quality. Day to day, the municipalities, as land use regulators, assume the key role in the implementation of the Management Plan.

Watershed Associations: Stream conservation - Stream Planning - Advocacy - Landowner and stream user education.

States of NJ and PA: Resource Protection - Scenic Byways - Grants and technical assistance - Recreation & access - Open Space - Visitor services and facilities.

Counties: Warren, Hunterdon, Mercer, Burlington, Northampton, Bucks: Land use review and assistance - Recreation, access, open space - Planning support.

Delaware & Lehigh Canal National Heritage Corridor Commission: Resource protection - Resource interpretation - Land use planning assistance - Economic development enhancement.

National Park Service: Recreation, historic & tourism coordination - Coordination with federal agencies - Visitor services and facility development - Resource protection - Section 7, Wild and Scenic Rivers Act Review (insuring consistency at the federal level through its authority under the Act) - Interpretive planning - Financial assistance for management plan implementation by municipalities.



*“One of the finest, best, and
pleasantest rivers in the world.”*

Henry Hudson said of the Delaware

If the lower Delaware River is included in the Wild and Scenic Rivers System, the NPS will enter into a formal agreement(s) with member organizations pursuant to Sec. 10(e) and/or Sec. 11(b)(1) of the Wild and Scenic Rivers Act. Such agreements could include provisions for limited financial or other assistance from the federal government to facilitate the protection and management of the lower Delaware River.

In addition, it is recommended that the Governors of New Jersey and Pennsylvania issue executive orders requiring state agencies to act in consistence with the goals of the Lower Delaware River Management Plan should the river and tributaries be designated.

Citizens Advisory Committee

This provides a forum for landowners and the general public to speak openly regarding any river corridor issue, to advocate any position, and to provide advice to river management agencies. Landowners and other river users are very important to meeting the goals of the Management Plan. Individual decisions regarding such crucial actions as maintaining stream buffers have a significant cumulative impact upon water quality and habitat.

Activities of the Citizens Advisory Committee will be coordinated by the Delaware River Greenway.

Administration

Although this model is intended to be cost effective and simple, success requires adequate funding and staffing and formalization of the coordination arrangement. Management Committee member roles and responsibilities will be defined by a Memorandum of Understanding. Funding will be provided through the National Park Service for NPS and DRG management activities that are assumed beyond their existing management functions and to provide assistance to municipalities for implementation of management plan recommendations. This is a small investment to assure protection of nationally significant resources.



Estimated initial annual National Park Service expenditures for management of the lower Delaware River include:

• NPS Staffing and expenses	\$ 120,000
• Cooperative Agreement for Delaware River Greenway coordination activities	
• Staffing	\$ 120,000
• Space, equipment, supplies, travel	<u>\$ 15,000</u>
Subtotal	\$ 135,000
• Financial assistance for municipalities for management plan implementation	\$ 60,000
• Develop and distribute interpretive/educational brochure	<u>\$ 35,000</u>
TOTAL	\$350,000



Section V: Suitability

This chapter describes the study's findings relative to Section 4(a) of the Act, which requires the study report to detail the river's suitability for designation into the National Wild and Scenic Rivers System.

Suitability Criteria

A river's suitability for wild and scenic designation is a matter of whether it is free-flowing and contains outstandingly remarkable resources, whether designation makes sense, and whether designation provides lasting protection. For rivers such as the lower Delaware that flow through predominately private lands, federal land acquisition may not be an appropriate protective measure. Thus, protection must rely on a combination of federal, state, local, and private resource protection actions. If designation is to be effective, the non-federal entities must support and be committed to the implementation of any necessary resource protection measures.

For the lower Delaware River, the criteria used to assess suitability is:

1. Is there local support for designation of the river and implementation of the River Management Plan?

This support was determined primarily by municipal agreement to adopt the goals of the Management Plan and support for national designation of the river. To date 24 of the 37 municipalities in the area under consideration for designation (not counting the Musconetcong River communities) have passed resolutions of support. In addition, twenty-seven municipalities passed resolutions asking that the Musconetcong and Paulinskill rivers, Frya Run, and Smittstown, Paunacussing, Lockatong, and Wickecheoke creeks, be added to the study area.

89.9% of survey respondents said they support land use regulations and programs to conserve and protect the river.

Public workshops and the Landowner Survey Report document strong support for preserving the river's natural, historic, and recreational resources. Survey respondents listed scenic beauty, wildlife habitat, and overall atmosphere of the region as the three most important qualities of the area (see Appendix A). In fact, 89.9 percent of those who returned surveys said they would support land use regulations and programs to conserve and protect the river. Eighty-eight



percent of the respondents said they support an overall conservation plan for the river.

2. How adequate are existing protection measures (including state and local resource protection laws, zoning, and land ownership) in conserving the river's outstanding resources and free-flowing character?

Two reports document the significant resource protection provided by the existing municipal land use control, the states of New Jersey and Pennsylvania, and the Delaware River Basin Commission. The Municipality Surveys provide a town-by-town description of land use and zoning regulations. The River Management Plan describes the regulatory and non-regulatory programs by the states, the Delaware River Basin Commission, federal agencies, and non-profit organizations. Further, the plan documents the publicly held land that protects important river-related resources, such as the two canal state parks that parallel the river.

3. Can a resource protection and management framework be developed that closes any resource protection gaps without relying on federal land acquisition and that facilitates communication and cooperation among governmental entities and private citizens who bear responsibility for implementing all river protection measures?

The River Management Plan that is summarized in Section IV provides the framework for enhanced resource protection and greater cooperation between resource management entities. This is accomplished in part through voluntary adoption of the six river management goals and through creation of a River Management Committee under direction of the existing Delaware River Greenway Partnership. By establishing the River Management Committee that will include representatives of all entities responsible for ongoing resource protection, the Plan ensures that future management decisions will be based on resource protection objectives that satisfy the Wild and Scenic Rivers Act mandate to protect and enhance the river's outstanding values. Federal designation will encourage enhanced coordination between two states, six counties, and fifty-seven municipalities. Further, most of the river corridor above the study area is already part of the National Wild and Scenic Rivers System.



Suitability Finding

All study segments under consideration for designation, except for Tohickon Creek above Nockamixon Dam, are eligible for designation into the National Wild and Scenic Rivers System. The following segments are suitable and recommended for national designation:

Segment D: The portion of this segment starting at river mile 193.8 to the northern border of the city of Easton, PA (approx. 10.5 mi., 16.9km)

Segment F: The segment from a point just south of the Gilbert Generating Station to a point just north of the Point Pleasant Pumping Station (approx. 14.2 mi., 22.8 km)

Segment G: The segment from the point just south of the Point Pleasant Pumping Station to a point 1000 feet north of the Route 202 bridge (approx. 6.3 mi., 10.1 km)

Segment H: The segment from a point 1750 feet south of the Route 202 Bridge to the southern border of the town of New Hope, PA (approx. 1.9 mi., 3.0 km)

Segment I: The segment from the southern boundary of the town of New Hope, PA to the town of Washington Crossing, PA (approx. 6 mi., 9.7 km)

Segment L: Tinicum Creek (approx. 14.7 mi., 23.7 km)

Segment M: Tohickon Creek from the Lake Nockamixon Dam to the Delaware River (approx. 10.7 mi., 17.2 km)

Segment N: Paunacussing Creek in Solebury Township (approx. 3 mi., 4.8 km)

The following segments are not suitable because not each municipality on both sides of the river has yet passed a resolution supporting designation. It is recommended that designation be granted if municipal resolutions from the communities on both sides of the river segment are passed in the future.

Segment A: The Segment from the Delaware Water Gap to the Toll Bridge connecting Columbia, NJ and Portland, PA



Segment B: The segment from Erie Lackawanna Railroad Bridge to the southern tip of Dildine Island

Segment C: The segment from the southern tip of Mack Island to the northern border of the town of Belvidere, NJ

Segment D: The portion of this segment from the southern border of the town of Belvidere, NJ to river mile 196.0

Segment E: The segment from the southern border of the town of Phillipsburg, NJ, to a point just north of Gilbert Generating Station (approx. 9.5 mi., 15.2 km)

Segment J: Paulinskill River in Knowlton Township

Segment K: Cook's Creek from Springfield/Durham townships' border to the Delaware River

Segment O: Musconetcong

Nineteen of twenty municipalities along the Musconetcong River requested that it be added to the Lower Delaware Wild and Scenic River Study. Given that the Musconetcong is the largest tributary to the Delaware River in New Jersey and the number of communities affected, it is being studied in a second phase and a separate recommendation will be issued at a later date.

Segment P: Lockatong and Wicecheoke Creeks

Delaware, Kingwood, Franklin, and Raritan townships recently passed resolutions requesting that these creeks be considered for Wild and Scenic River designation. To provide an adequate review of their eligibility and suitability a separate recommendation will be presented at a later date.

Recommended Boundary

Section 7(a) of the Wild and Scenic Rivers Act prohibits federal authorization of any water resources project that would have an adverse impact on the values for which the river is designated. For the purposes of administering Section 7 of the Act regarding actions of the federal government, the Study Task Force recommends that a formal boundary be established within one-quarter mile from the ordinary high water mark on each side of the suitable river segments.